

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ROBBIN BANISTER,

Plaintiff,

vs.

No. CV 18-00755 KG/JHR

NADENE GRAGO,

Defendant.

**ORDER GRANTING LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915(b)**

**THIS MATTER** is before the Court on the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 filed by Plaintiff Robbin Banister (Doc. 2). Because the Court grants the application, the filing fee for this civil rights complaint is \$350.00. Based on the information about Plaintiff's financial status, the Court will waive an initial partial payment pursuant to § 1915(b)(1). Plaintiff is still required to pay the full amount of the filing fee pursuant to § 1915(b)(1). Failure to comply with this order may result in dismissal of the complaint without further notice.

**IT IS THEREFORE ORDERED** that the Prisoner's Motion and Affidavit for Leave to Proceed Pursuant to 28 U.S.C. § 1915 filed by Plaintiff Robbin Banister (Doc. 2) is **GRANTED** and the initial payment is **WAIVED**;

**IT IS FURTHER ORDERED** that Plaintiff file monthly financial certificates and make monthly payments of twenty percent (20%) of the preceding month's income credited to his account until the fee is paid or show cause why the payment should be excused; and the Clerk is directed to provide Plaintiff with two copies of the post-filing financial certificate.



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JERRY H. RITTER  
UNITED STATES MAGISTRATE JUDGE